

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of MARQUIS LAVELL BAKER,
Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

MARGARET MICHELLE BAKER,

Respondent-Appellant.

UNPUBLISHED

May 13, 2008

No. 282762

Kent Circuit Court

Family Division

LC No. 06-054239-NA

Before: Donofrio, P.J., and Sawyer and Murphy, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i) (conditions that led to adjudication continue to exist) and (g) (failure to provide proper care and custody). Because clear and convincing evidence established a statutory basis for termination of parental rights and termination of parental rights was not clearly contrary to the best interests of the children, we affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. *In re Archer*, 277 Mich App 71, 73; 744 NW2d 1 (2007). Respondent had a long term substance abuse problem that in turn led to legal problems, and those problems combined to adversely affect her parenting ability. Petitioner made reasonable efforts to assist with reunification by providing respondent with referrals to different agencies for substance abuse treatment, parenting classes, and counseling. Respondent failed to take advantage of the services and continued to use drugs. She incurred yet another criminal conviction and, at the time of the hearing, was serving a one-year jail sentence and would not be released until April 2008. Further, the evidence on the whole record did not clearly show that termination of respondent's parental rights was not in the child's best interests. *In re*

Trejo, 462 Mich 341, 354; 612 NW2d 407 (2000). Therefore, the trial court did not clearly err in terminating respondent's parental rights to the child. *Id.* at 356-357.

Affirmed.

/s/ Pat M. Donofrio

/s/ David H. Sawyer

/s/ William B. Murphy